

PROB 12C  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Superceding Petition for Warrant or Summons for Offender Under**  
**Supervision**

Name of Offender: Jasper Spivey

Cr.: 02-00264-001

Name of Sentencing Judicial Officer: Honorable Dennis M. Cavanaugh, U.S. District Judge

Date of Original Sentence: 01/13/03

Original Offense: Possession of a Weapon By a Convicted Felon

Original Sentence: 31 months imprisonment; 3 years supervised release; \$100 special assessment. Special conditions of alcohol/drug testing and/or treatment; and completion of a GED or vocational program.

Type of Supervision: Supervised Release

Date Supervision Commenced: 04/23/04

Assistant U.S. Attorney: Mitchell Epner

Defense Attorney: Donald J. McCauley

**PETITIONING THE COURT**

Judicial signature and docketing

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number    Nature of Noncompliance

1                 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On March 12, 2005, Spivey was arrested by the Newark, New Jersey Police Department and charged with unlawful possession of a weapon (.22 caliber rifle) (2C:39-5); possession of a controlled dangerous substance (38 vials of cocaine) (2C:35-10A); distribution of a controlled dangerous substance (2C:35-5A); possession of a controlled dangerous substance within 1,000 feet of a school (2C:35-7); possession of a controlled dangerous substance (42 decks of heroin) (2C:35-10A); distribution of a controlled dangerous substance (2C:35-5A); possession of a controlled dangerous substance within 1,000 feet of a school (2C:35-7); and possession of drug paraphernalia (2C:36-2).

\*On November 15, 2005, Spivey was indicted on 6 drug-related counts. The weapons offense was no billed by the Essex County Prosecutor's Office. Trial is scheduled for April 10, 2006, in the Essex County Superior Court.

2

The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

Specifically, the offender failed to notify the Probation Office within 72 hours of his March 12, 2005 arrest.

3

The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On October 24, 2004, Spivey was arrested by the Newark Police Department and charged with conspiracy to possess a controlled dangerous substance (2C:5-2A); possession of a controlled dangerous substance (2C:35-10A); possession of a controlled dangerous substance with intent to distribute (2C:35-5A); and possession of a controlled dangerous substance within 1,000 feet of a school (2C:35-7).

On October 26, 2004, the above charges were downgraded to wandering (2C:33-2.1). On April 15, 2005, Spivey was sentenced to county time, specifically, 91 days jail with 37 days jail credit.

\* The following information has been updated since the filing of the initial petition.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,



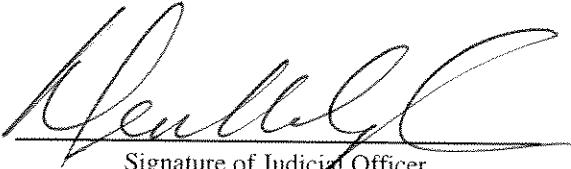
By: Anthony J. Nisi  
U.S. Probation Officer  
Date: 03/06/06

---

THE COURT ORDERS:

---

- The Issuance of a Warrant  
 The Issuance of a Summons. Date of Hearing: \_\_\_\_\_.  
 No Action  
 Other/File Superceding Petition



Signature of Judicial Officer

3/8/06

Date